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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/992,933	11/05/2001	Yong-Jae Kim	678-736(P9919)	9167
28249	7590	05/03/2006	EXAMINER	
DILWORTH & BARRESE, LLP			PHAM, TUAN	
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UNIONDALE, NY 11553			ART UNIT	PAPER NUMBER
			2618	

DATE MAILED: 05/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/992,933	KIM ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	TUAN A. PHAM	2618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 01 March 2006.  
 2a) This action is FINAL.                    2b) This action is non-final.  
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-7 is/are pending in the application.  
 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
 5) Claim(s) \_\_\_\_\_ is/are allowed.  
 6) Claim(s) 1-5 is/are rejected.  
 7) Claim(s) 6 and 7 is/are objected to.  
 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.  
 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
 a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                    | Paper No(s)/Mail Date: _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date: _____ | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|   | 6) <input type="checkbox"/> Other: _____                                    |

## DETAILED ACTION

### *Response to Arguments*

1. Applicant's arguments, see Applicant's remark, filed on 03/01/2006, with respect to the rejection(s) of claim(s) 1-7 under 103(a) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Lee B G.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claim 1, 3-5 are rejected under 35 U.S.C. 102(e) as being anticipated by Lee B G (Pub. No.: KR2001082904A, hereinafter, "Lee").

Regarding claim 1, Lee teaches a replaceable sliding cover unit (see figure 1, replaceable cover 10) for a folder-type phone having a main body (see figure 1, abstract), a folder (see abstract), a hinge device for rotatably connecting the folder to the main body (see figure 1, hinge device is connected with groove 21), and a display (see figure 1, it is inherent that the foldable of figure 1 is included a display), comprising:

a slot (read on sliding groove 22) formed around the periphery of the folder (see figure 1, sliding groove 22, detailed description);  
a replaceable sliding cover (see figure 1, replaceable cover 10) having at least one raised edge (read on sliding rail 13) for mating with the slot to cover the upper portion of a folder (sliding rail 13 will mate with sliding groove 22 when the cover is replace), and detachable from the folder by sliding the replaceable sliding cover in the length direction of the folder-type phone (see figure 1, the replaceable cover 10 is detachable from the front cover 20 by sliding the cover 10 in the length direction of the foldable phone) ; and

a locking unit for fixing the cover in the slot (see figure 1, locking knob 30, detailed description).

**Regarding claim 3,** Lee further teaches a replaceable sliding cover unit a groove formed along the slot; and protrusions formed at the periphery of the cover to mate with the groove (see figure 1, sliding rail 13 will mate with sliding groove 22 when the cover is replace).

**Regarding claim 4,** Lee further teaches a replaceable sliding cover unit protrusions formed to face each other at both sides of the folder case; and grooves at positions of the raised edge corresponding to the protrusions (see figure 1, sliding rail 13 will mate with sliding groove 22 when the cover is replace).

**Regarding claim 5,** Lee further teaches a replaceable sliding cover unit wherein the protrusions are formed near a center hinge arm of the folder (see figure 1, groove 21).

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. **Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lee B G (Pub. No.: KR2001082904A, hereinafter, "Lee") in view of Kim et al. (U.S. Patent No.: 6,980,840, hereinafter, "Kim".**

**Regarding claim 2,** Lee discloses the invention, but fails to disclose a transparent window positioned to enable viewing of the display. However, Kim teaches such features (see figure 2B, display 13, transparent window 201, col.4, ln.15-30).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Kim into view of Lee in order to decrease the cost and easily replace the cover as suggested by Lee.

***Allowable Subject Matter***

6. Claims 6-7 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

**Conclusion**

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tuan A. Pham whose telephone number is (571) 272-8097. The examiner can normally be reached on Monday through Friday, 8:30 AM-5:30 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Anderson can be reached on (571) 272-4177. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have question on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Art Unit 2618  
April 28, 2006  
Examiner

Supervisory Patent Examiner  
Technology Center 2600

Tuan Pham

  
Matthew Anderson